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**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re: MUSCLEPHARM CORPORATION, <p style="text-align: center;">Debtor.</p>	Case No.: 22-14422-NMC Chapter 11
<hr/> EMPERY TAX EFFICIENT, LP, <p style="text-align: center;">Plaintiff,</p>	Adv. Pro. No. 23-01093-NMC
v. RYAN DREXLER, <p style="text-align: center;">Defendant.</p>	
<hr/> RYAN DREXLER, <p style="text-align: center;">Counterclaimant,</p>	<u>Original Hearing Date:</u> Date: August 24, 2023 Time: 9:30 a.m.
v. EMPERY TAX EFFICIENT, LP, <p style="text-align: center;">Counterdefendant.</p>	<u>New Hearing Date:</u> Date: August 23, 2023 Time: 9:30 a.m.

**STIPULATION BETWEEN EMPERY TAX EFFICIENT, LP AND RYAN DREXLER
 TO RESCHEDULE SCHEDULING CONFERNECE**

1 Empery Tax Efficient, LP (“Empery”), and Ryan Drexler (“Drexler,” and together with
2 Empery, the “Parties”), by and through their respective undersigned counsel, hereby submit this
3 *Stipulation Between Ryan Drexler and Empery Tax Efficient, LP to Reschedule Scheduling*
4 *Conference* (“Stipulation”).

5 1. WHEREAS, on December 15, 2022, MusclePharm Corporation (the “Debtor”)
6 filed a voluntary petition under chapter 11 of title 11 of the United States Code, thereby
7 commencing bankruptcy case no. 22-14422-NMC (the “Bankruptcy Case”).

8 2. WHEREAS, on May 15, 2023, Empery filed its *Complaint* against Drexler, thereby
9 commencing the above-captioned adversary proceeding (the “Adversary Proceeding”)

10 3. WHEREAS, on June 14, 2023, Drexler filed his *Answer, Affirmative Defenses and*
11 *Counterclaim* [ECF No. 5]

12 4. WHEREAS, on July 5, 2023, Empery filed *Empery Tax Efficient, LP’s Answer to*
13 *Defendant’s Counterclaim* [ECF No. 7]

14 5. WHEREAS, the Scheduling Conference in the Adversary Proceeding is scheduled
15 for August 24, 2023 at 9:30 [ECF No. 2].

16 6. WHEREAS, in connection with the Bankruptcy Case, the hearing on: (1) *Debtor’s*
17 *Motion Pursuant to §§ 105 and 363 of the Bankruptcy Code and Bankruptcy Rule 9019 to Approve*
18 *Settlement and Plan Support Agreement with: (I) the Official Committee of Unsecured Creditors;*
19 *(II) Empery Tax Efficient, LP, in its Capacity as Collateral Agent and Financing Agent for MP*
20 *Collateral LLC; and (III) White Winston Select Asset Funds, LLC* [Docket No. 524] (the “PSA
21 Motion”); and (2) *Debtor’s Motion for the Entry of an Order: (i) Approving the Disclosure*
22 *Statement; (ii) Approving the Form of Ballots and Proposed Solicitation and Tabulation*
23 *Procedures; (iii) Fixing the Voting Deadline with Respect to the Debtor’s Chapter 11 Plan; (iv)*
24 *Prescribing the Form and Manner of Notice Thereof; (v) Fixing the Last Date for Filing*
25 *Objections to the Chapter 11 Plan; (vi) Scheduling a Hearing to Consider Confirmation of the*
26 *Chapter 11 Plan; and (vii) Appointing Stretto as Solicitation and Tabulation Agent* [ECF No. 554]
27 (the “Disclosure Statement Motion”) is scheduled to proceed August 23, 2023 at 9:30 a.m.

28 7. WHEREAS, the Parties have met and conferred and, in the interest of judicial

economy and efficiency, hereby stipulate, subject only to entry of an order approving this Stipulation substantially and materially in the form attached hereto as **Exhibit 1**, as follows:

a. The Scheduling Conference in the Adversary Proceeding shall be advanced from August 24, 2023 at 9:30 a.m. to August 23, 2023 at 9:30 a.m.

b. Empery and Drexler shall submit a discovery plan and/or competing discovery plans no later than August 11, 2023 providing for discovery to commence immediately after the Court's Scheduling Conference on August 23, 2023.

Dated this 8th day of August, 2023.

GARMAN TURNER GORDON LLP

STEINHILBER SWANSON LLP

/s/ Teresa M. Pilatowicz
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By: /s/ Michael P. Richman
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EXHIBIT 1

EXHIBIT 1

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In re:

MUSCLEPHARM CORPORATION,

Debtor.

EMPERY TAX EFFICIENT, LP,

Plaintiff,

v.

RYAN DREXLER,

Defendant.

Case No.: 22-14422-NMC

Chapter 11

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RYAN DREXLER,

Counterclaimant,

v.

EMPERY TAX EFFICIENT, LP,

Counterdefendant.

Original Hearing Date:

Date: August 24, 2023

Time: 9:30 a.m.

New Hearing Date:

Date: August 23, 2023

Time: 9:30 a.m.

**ORDER APPROVING STIPULATION BETWEEN EMPERY TAX EFFICIENT, LP
AND RYAN DREXLER TO RESCHEDULE SCHEDULING CONFERENCE**

Empery Tax Efficient, LP ("Empery") and Ryan Drexler ("Drexler," and together with Empery, the "Parties"), by and through their respective undersigned counsel, entered in that certain *Stipulation Between Ryan Drexler and Empery Tax Efficient, LP to Reschedule Scheduling Conference* (the "Stipulation").¹

The Court, having read and considered the Stipulation and good cause appearing therefore;

IT IS HEREBY ORDERED that the Stipulation is approved.

IT IS FURTHER ORDERED that:

a. The Scheduling Conference in the Adversary Proceeding shall be advanced from August 24, 2023 at 9:30 a.m. to August 23, 2023 at 9:30 a.m.

b. Empery and Drexler shall submit a discovery plan and/or competing discovery plans no later than August 11, 2023 providing for discovery to commence immediately after the Court's Scheduling Conference on August 23, 2023.

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Attorney for Ryan Drexler

¹ All capitalized, undefined terms shall have the meaning ascribed to them in the Stipulation.